GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Disciplinary Proceedings instituted against Sri Syed Javeed Akthar, Dy. Director of Town Planning (Retired) for the irregularities in granting permission to M/s S.V.Construction Company for Commercial Complex at Kurnool – Enquiry conducted – under Rule 9 of A.P. Revised Pension Rules, 1980 - Imposing the penalty 5% cut in Pension for five (5) Years – Orders - Issued.

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the reference 4th read above, Government in exercise of the powers conferred by sub-rule (2) of Rule-20 of the said rules, the disciplinary authority hereby appointed Sri V.Narender Rao, General Manager, Hyderabad Metro Rail as Enquiry officer afresh to inquire into the charges framed against Sri Syed Javeed Akthar, former Deputy Director of Town Planning(Retd).

4. In the reference 6th read above, the Enquiry Officer has submitted his Enquiry Report against Sri Syed Javeed Akthar, former Deputy Director of Town Planning (Retd), holding charges are not proved.

5. In the reference 7th read above, a copy of the Enquiry Report along with the following reasons on disagreement factors on the findings of the Inquiry Authority on the articles of charges, have been communicated to Sri Syed Javeed Akthar, former Deputy Director of Town Planning (Retd) for submission of his representation in the matter within (15) days in terms of Rule 21(2) of APCS(CC&A)Rules, 1991.

Charges	**Disagreement factors on the findings of the Inquiry Authority on the charges**
Charge No.1 Responsible for the improper realignment of 60'-00 G.T.P (master plan) road, as he had not scrutinized the proposal of the realignment of 60'-00 M.P.Road from Sy.No.895 to K.C.Canal Bund at Kurnool Mpl. Corpn. Therefore he is responsible for recommending irregular approval of the proposal without the concurrence of the Irrigation Department.	As seen from the both enquiry reports it is revealed that the C.O., has not followed the procedure as prescribed under section 15 of A.P. Town Planning (APTP) Act, 1920 while considering the proposals of the Kurnool Municipal Corporation, the CO has to recommend the realignment proposal to the Government as per above Section for approval. But the C.O. has not done so.
Charge – 2 Not properly examined the effect of realignment of the road and recommended realignment of the road along with Irrigation Canal Bund which forms a dangerous critical junction at eh Bridge entry.	The C.O. has failed to point out that the consent of the irrigation Department is required and Government sanction is also required as per section 15 of APTP Act 1920 basing on the proposals submitted by the Kurnool Mpl. Corpn.,
Charge – 3 The C.O., has not discharged has legitimate duties properly and sincerely which caused a threat to the irrigation K.C.Canal and also traffic problems violating the statutory rules and mandatory provision.	The C.O. has failed in his duties in pointing out the correct rule position and the technical difficulties in realignment of the road while considering the proposals submitted by the Kurnool Municipal Corporation. The Govt. approval required is not recommended and the Irrigation Authorities have raised hue and cry not to use inspection path and develop it into 60 feet wide road which cannot be ignored by the C.O.,

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Charge – 4 During the period 1997 while working at head office recommended the approval of Central Plaza residential-cum-commercial complex in a single day without subjecting the proposals to proper scrutiny.	The C.O. has failed to properly scrutinize the building application of S.V. Construction CO., with reference to Master Plan, Zoning Regulations and Building Rules. As per procedure the building application is to be routed through Commissioner, Mpl. Corpon. But it is not touted and the CO has into pointed out the same while recommending the file.
Charge – 5 The approval of commercial complex was recommended by him when the matter in sub-judice in court of law.	The C.O., has failed to examine the implications of Writ Petitions as the DT&CP is respondent.
Charge – 6 The building permission for Central Plaza complex was recommended by him without proper verification of G.T.P (master plan) Scheme land use.	The C.O., has failed to properly scrutinize the Commercial Complex with a depth of 180 feet instead of 80 feet depth as per Master Plan. As per Master Plan Zoning Regulations the appeal proposal for beyond 80 feet Commercial Complex in residential use as per Master plan the DT&CP is the Competent Authority for appeal approval and the proposal has to routed through Commissioner, Kurnool Municipal Corporation along with Municipal Council Resolution for appeal approval.
Charge – 7 He had not done proper scrutiny of the proposals for the construction of Commercial / Residential complex and responsible for irregular approval.	The C.O. has failed to properly scrutinize and suggest the technical feasibility of the ramp.
Charge – 8 He has not discharged his legitimate duties properly and sincerely which caused violations of sanctioned zoning regulations and building rules.	The C.O. has not discharged his legitimate duties properly and sincerely.

6. In the reference 8th read above, Sri Syed Javeed Akthar, former Deputy Director of Town Planning (Retd) has submitted his written representation to the Government and requested to drop further action against him.

7. In the reference 9th read above, the Hon'ble APAT in O.A.No.6601/2014 filed by the CO(Retd), has disposed of the case with the following directions to Principal Secretary, MA&UD Department, Government of Telangana:-

> " *In the circumstances, the Original Application is disposed of at the admission stage, directing the 1st respondent/State of Telangana represented by Principal Secretary, MA&UD(E) Department to pass final order in pursuance of Show Cause Notice given in Memo No 12668/E1/2001, dated: 14-06-2011 after considering explanation of the applicant within a period of two moths from the date of receipt of copy of this order. In case Government's decision is going to be in favour of the applicant, the 1st respondent is again directed to release 10% balance of the pension to the applicant within one month thereafter*.

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8. In the reference 10th read above, the Principal Secretary, MA&UD Department, Government of Telangana has forwarded the copy of representation of the applicant and copy of the order dated: 27-11-2014 in O.A.No.6601/2014 of the Hon'ble Tribunal and requested to take necessary action as ULB belongs to AP State.

9. In compliance with the above direction of the Hon'ble APAT, Government of A.P., after examination of the matter, duly consulting the advisory authority have provisionally decided to impose a penalty of 5% cut in Pension for five (5) Years against Sri Syed Javeed Akthar, former Deputy Director of Town Planning(Retd). Accordingly, a Show Cause Notice was issued to him as to why the said penalty should not be imposed on him in terms of Rule 9 of APRP Rules, 1980and directed to submit his written representation within fifteen(15) days vide reference 11th read above.

10. In the reference 13th cited, after lapse of stipulated time, the Principal Secretary, Andhra Pradesh Public Service Commission, A.P, Hyderabad was addressed to convey their concurrence to the above provisional decision of Government.

11. In the reference 14th read above, the Principal Secretary, Andhra Pradesh Public Service Commission, Hyderabad has stated that the Commission has agreed to the above proposal of Government i.e., impose a penalty 5% cut in pension for five (5) Years against the said Charged Officer(Retd).

12. In the reference 15th read above, the Director of Town & Country Planning, Andhra Pradesh has furnished copy of written representation of Sri Syed Javeed Akthar, Deputy Director of Town Planning (Retd.), wherein, he has requested to drop further action against him.

13. In compliance with the directions of the Hon'ble APAT, Government after careful examination of the matter including the written representation of the Charged Officer(Retd),have decided to impose a penalty of 5% cut in his monthly pension for a period of five(5) years. Accordingly Government hereby impose the penalty 5% cut in monthly pension for five (5) years against Sri Syed Javeed Akthar, Deputy Director of Town Planning (Retd.), in terms of Rule-9 of Andhra Pradesh Revised Pension Rules, 1980.

14. The Director of Town and Country Planning, Guntur, Andhra Pradesh, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Syed Javeed Akthar, former Deputy Director of Town Planning(Retd)
through the Director of Town and Country Planning, Guntur, A.P.
The Director of Town and Country Planning, Guntur, A.P

Copy to:

The Secretary, AP Vigilance Commission. A.P. Secretariat, Hyderabad.
The Principal Secretary, APPSC, Nampally, Hyderabad.
The Director of Town & Country Planning , Hyderabad
The Special Chief Secretar to Government, the MA & UD(Vig)Deptt., Government of Telangana, Telangana Secretariat.(for further action in the matter)
The Government Pleader, MA &UD (Services),APAT, Hyderabad.
Sc/Sf.

// Forwarded By Order //

SECTION OFFICER